

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929

WP(C).No. 22015 of 2007(U)

PETITIONER:

BABU PAUL PERUMPILLIL, S/O. LATE
P.M.PAILY PILLAI, CORPORATE MANAGER,
ST.PETER'S HIGH SCHOOL & TRAINING SCHOOLS,
KOLENCHERY.

BY ADV. SRI.GEORGE POONTHOTTAM

RESPONDENTS:

THE DISTRICT EDUCATIONAL OFFICER,
ALUVA.

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17/07/2007, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.22015 OF 2007

Dated this the 17th day of July, 2007

JUDGMENT

Petitioner claims that he has been elected as manager of St.Peter's High School and Training School by the Parish Assembly of St.Peter's & St.Paul's Orthodox Syrian Church. Ext.P2 communication sent by the Vicar of the church to the District Educational Officer, Aluva, the respondent herein, also shows that five other members have also been elected to the board of the school in the election held on March 25, 2007. In Ext.P2 the vicar has requested the respondent to take "appropriate action" in the matter.

2. By judgment dated July 13, 2007 in Writ Petition No.18725/07 this court has already directed the respondent to pass appropriate orders on Ext.P2 (Ext.P5 in Writ Petition No.18725/07) within two months from the date of receipt of a copy of the judgment. Therefore, no further direction is necessary in the matter.

3. However, it is pointed out by learned counsel that any delay in passing orders on the request made by the Vicar of the church in the matter of approval of the appointment of the manager and the members of the Board may result in undue hardship and inconvenience to the smooth functioning of the schools. He therefore

prays that a further direction may be issued to the respondent to pass appropriate orders to enable the petitioner to function as manager in the interregnum till a final decision is taken on the request for approval of his appointment as manager.

4. In the above facts and circumstances, the writ petition is disposed of with a direction to the respondent to take a decision on the request, if any, that may be made by the petitioner to allow him to discharge the duties of the manager in the interregnum till a final decision is taken on the application for approval of his appointment as manager. It is made clear that it will be open to the respondent to take a decision in the matter on the merit of the request and in accordance with law. This shall be done only after hearing all the parties interested in the affairs of the school and the church including respondents 2 and 3 as directed in Writ Petition No.18725/07. Such an interim direction if found permissible and if warranted, shall be issued within ten days from the date of the motion, if any, that may be made in this regard.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

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